



**Agenda Item Number: 2006-6-9A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** June 13, 2006

**Department:** Sheriff's Department    **Contact:** Chief Deputy David Linthicum  
Darren P. White, Sheriff

**TITLE:** American Eurocopter, U.S.A. – Light Utility Helicopter Purchase

**ACTION:** Motion to approve:

1. The Agreement with American Eurocopter LLC for the purchase of an AS350B-3 Helicopter in the amount of \$3,125,994 in accordance with RFP#09-06-BH-Light Utility Helicopter.
2. Financial Resolution **FR -2006** budgeting Narcotics Seizure funds and Insurance recoveries.

### **SUMMARY:**

On May 9, 2006 the Commission authorized the establishment of the Bernalillo County Sheriff's Air Unit. The establishment of the BCSO Air Unit provides the Sheriff a major tool in their efforts to deter crime and as a "force multiplier" when needed for enforcement purposes. In addition to use within law enforcement, the Air Unit has been instrumental in partnering with the Bernalillo County Fire Department relative to fire suppression activities.

On August 6, 2006 the Metro-1 Sheriff's Department helicopter was shot down. Fortunately, due to excellent pilot skills, the Deputy and pilot survived the incident. In an effort to replace the helicopter, the Sheriff worked with members of the New Mexico Legislature and was able to secure \$865,000 toward the purchase of a new helicopter. In addition, there is an insurance recovery amount of \$212,762 and the Sheriff has committed \$225,000 in federal seizure funds bringing the total amount available for the purchase of a new helicopter to \$1,302,762.

The Sheriff continues to work with the County Manager and members of the legislature to secure the balance of funds needed in the amount of \$1,823,232. If legislative funding for the balance is not secured from the upcoming legislative session, the needed funds will come from the County fleet replacement line item that would have been used for the replacement of Sheriff's vehicles scheduled for FY08.

On March 21, 2006 the Purchasing Department issued an RFP #09-06-BH-Light Utility Helicopter for the replacement of the helicopter. Two responsive bidders were received. Staff recommends the award and purchase of an A-Star 350-B3 aircraft (helicopter) from American Eurocopter, USA. It will take approximately sixteen months from the time it is ordered to actual delivery.

## **ATTACHMENTS:**

1. Bernalillo County RFP#09-06-BH-Light Utility Helicopter
2. Financial Resolution **FR -2006**

## **FISCAL IMPACT**

BC07-588800-03WD	FY06 Legislative Appropriations	175,000
BC07-588800-03WE	FY06 Legislative Appropriations	690,000
BC07-588800-03XB	Insurance Recoveries	212,762
BC07-588800-03XB	Federal Seizure Funds	225,000
BC01-578800-08PS	Autos/Aircraft	<u>1,823,232</u>
		\$3,125,994

## **STAFF ANALYSIS SUMMARY**

### **COUNTY MANAGER**

The Sheriff has been working diligently to secure the funding to replace the helicopter as it provides critical support to BCSO. It is important that the order be placed for this unit as it takes over sixteen months to deliver. County staff secured a firm bid price as long as the unit is ordered immediately. I recommend Board approval. TL 6/8/2006

### **DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY**

The BCSO Air Unit has become an intrgal part of the Bernalillo County law enforcement program. As in many instances within and outside of public safety, we must continually seek ways to provide our men and women the tools to do their jobs effeciently and effectively. I recommend approval of this item. JDantis 6/7/06

### **LEGAL**

Approved as to form. JSL 6/7/06

Contract review - The Legal Department has also reviewed and approved as to form the contract for the purchase of the helicopter. This helicopter will be covered by a manufacturer's warranty for all workmanship, materials and equipment for a period of two (2) years or 2000 flights hours, whichever occurs first. During the warranty period, the Contractor will at its own expense, replace and repair any defect or faulty materials, and any related damage to all finishes, fixtures, equipment and furnishings within five working days after notification.

When the Contractor has completed delivery of the helicopter, there will be a single lump sum payment due from the County. Should the Contractor fail to complete delivery of the helicopter within the 500 calendar days, the Contractor must pay the County weekly liquidated damages of \$1,500.00 (up to a maximum of four weeks).

Appropriate provisions covering indemnity and lack of appropriations are included in the contract. TBS 6/8/06

### **FINANCE**

Approval will enable Bernalillo County to place the order for the replacement helicopter with a delivery date of September, 2007. If legislative funding does not materialize the balance of funds required for the purchase will come from the County's fleet replacement line item that would have been used for the purchase of replacement vehicles for the Sheriff. Dan Mayfield, Deputy County Manager, 5/23/06

<b>Budget</b>	Funding for the purchase of the helicopter was made available in the FY06 legislative appropriations in the amount of \$175,000 (BC07-588800-03WD) and \$690,000 (BC07-588800-03WE). In addition insurance recovery funding in the amount of \$212,762 (BC07-588800-03XB) will be made available as well as \$225,000 from the Federal Seizure Funds (BC07-588800-03XB). The Sheriff's Department anticipates that additional funding needed, will be made available from next years legislative appropriations. If additional legislative funding does not materialize Sheriff's fleet funding will be utilized. Nona Lane, Financial Services Administrator III 6/5/06
<b>Purchasing</b>	Proper procedures were followed in the solicitation, evaluation and award of RFP 09-06-BH. B. Henderson, Senior Buyer 6/22/2006
<b>Contracts</b>	Contract Control Number 2006-0243 has been issued (pending BCC approval) for the contract between the County and American Eurocopter, for the purchase of a light utility helicopter. B. Henderson, Senior Buyer 6/22/2006
<b>Risk Management</b>	The Sheriff's Department will provide the funding for hull and liability insurance. David A. Baca, Risk Management Administrator. 5/22/06

## **ELECTED OFFICIAL/OTHERS**

### **Sheriff**

The purchase of this aircraft is an essential tool in the Sheriff's Department efforts to provide the highest quality of law enforcement services to the citizens of Bernalillo County.

Darren White, Sheriff